

ILLINOIS COMMERCE COMMISSION

JAMAL SHEHADEH,

vs.

No. 02-0002

CENTRAL ILLINOIS PUBLIC
SERVICE COMPANY,

ORIGINAL

DISCOVERY DEPOSITION of JAMAL SHEHADEH,
taken in the above-entitled case before Tammy J.
Greenfield, a Notary Public of Macon County, acting
within and for the County of Sangamon, State of
Illinois, at 9:56 A.M., on February 21, 2002, at 607
East Adams Street, Springfield, Sangamon County,
Illinois, pursuant to notice.

OFFICIAL FILE

ILL. C. C. DOCKET NO. 02-0202

Defendant's Exhibit No. 4

Witness _____

Date 2/21/02 Reporter Ad

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APPEARANCES:

Jamal Shehadeh
1312 Sportsman Drive
Taylorville, Illinois 62658
Appearing pro se.

SORLING, NORTHRUP, HANNA,
CULLEN and COCHRAN, LTD.
BY: Stephen R. Kaufmann, Esq.
Illinois Building - Suite 800
Springfield, Illinois 62705
Appearing on behalf of CIPS.

ALSO PRESENT: Mr. Robert Derber,
Energy Services Specialist,
Ameren-CIPS

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1 (Whereupon the Deponent was
2 sworn by the Notary Public.)

3 J A M A L S H E H A D E H,
4 having been first duly sworn by the Notary Public,
5 depose and saith as follows:

6 EXAMINATION

7 BY MR. KAUFMANN:

8 Q Please state your name for the record.

9 A Jamal Shehadeh.

10 Q May I call you Jamal?

11 A Yeah. That's fine.

12 Q As you know, I'm Steve Kaufmann. I
13 represent Ameren-CIPS in this matter, and with me
14 present here today is Bob Derber on behalf of
15 Ameren-CIPS.

16 And, as I understand it, you're here by
17 yourself without an attorney; is that right?

18 A Yes. That's correct.

19 Q Okay. We don't want to take advantage of
20 the situation at all. CIPS is really only interested
21 in defending itself in this Complaint and, if you
22 will, making sure that justice is done, however the
23 Illinois Commerce Commission decides to apply that.

24 I want to, in fairness to you, explain to

1 you what's going on. As you know you're under oath,
2 correct?

3 A Yes.

4 Q It is necessary for you to give your answers
5 out loud so that the court reporter here can take
6 them down.

7 A Okay.

8 Q All right. She can't take down nods of the
9 head, shakes of the head and the, you know, the other
10 manners of speech that we usually engage in because
11 it's real confusing when you go back to read the
12 transcript.

13 A Okay.

14 Q And she's gonna record everything that's
15 said here on the record and it will be transcribed.
16 We -- since we ask for the deposition, we pay for the
17 court reporter's time and we pay for our copy of the
18 transcript. And whether or not you want a copy will
19 be up to you and you can deal with this lady's firm
20 in that regard.

21 If you need to take a break at any time to
22 feed your parking meter or go to the bathroom or
23 anything else, please let me know. We'll be happy to
24 accommodate you.

1 A Thank you.

2 Q So watch the clock if you need to do the
3 meter or we can help you as well.

4 A Quarter after, I think.

5 Q Quarter after. All right.

6 The questions I ask may not be altogether
7 always clear to you. If you're unsure of what the
8 question is, if you will let me know I will be happy
9 to rephrase it so that we're on the same wave length.

10 A Okay.

11 Q I don't want you to be confused by my
12 question, all right? And if you need clarification,
13 please let me know.

14 A Okay.

15 Q I may even have to have Mr. Derber whisper
16 to me to help me with a clarification because I'm not
17 as well versed in electricity as I think you
18 gentlemen are.

19 Those are the typical things we tell people
20 before we begin a deposition. Do you have any
21 questions about the process now before we get started
22 with some of the more substantive questions?

23 A No.

24 Q Okay. Tell me if you would what your

1 present address is.

2 A Um, 117 Pierce Hall, Thompson Point,
3 Carbondale 62901.

4 Q Okay. And you're a student at SIU
5 Carbondale?

6 A Uh-huh.

7 Q One of the things you need to say is yes --

8 A Yes.

9 Q -- as opposed to what you just said.

10 A All right.

11 Q When you go to read a transcript the
12 difference between uh-huh and uh-uh are --

13 A Okay.

14 Q -- indecipherable. But we all know those
15 are different answers.

16 That is your address now because you're a
17 student at SIU, correct?

18 A Correct.

19 Q What is the address that you call home;
20 meaning, the one in Taylorville, I believe?

21 A Okay.

22 Q What is that address?

23 A 1312 Sportsman Drive 62568.

24 Q All right. And who lives there with you?

1 A My mother and my brother and sister.

2 Q All right. And your mother's name is Penny?

3 A Uh-uh. Yes.

4 Q All right. And your brother and sister,
5 what are their names and what are their ages?

6 A Jacob; he's 15. And Sara; she's 17.

7 Q Um, is your father still living?

8 A Yeah. He's alive.

9 Q Okay. Where does he live?

10 A I don't know.

11 Q All right. Has he been out of your life, so
12 to speak, for quite some time?

13 A Yeah, the last few years.

14 Q All right. Um, how long have you lived at
15 that address in Taylorville?

16 A All my life.

17 Q Okay. And your date of birth is what?

18 A 12/28/1982.

19 Q So that, aside from the dormitory where you
20 now live, is the only place you've ever lived,
21 correct?

22 A Correct.

23 Q All right. Now, tell me, if you would,
24 about your education.

1 Where did you go to grade school?

2 A St. Mary's Catholic School.

3 Q In Taylorville?

4 A Yes.

5 Q Do you remember what year you got out of 8th
6 grade there?

7 A I think it was 6th grade. They only went to
8 6th grade.

9 Q Oh.

10 A '96, I think.

11 Q All right. And then did you go to
12 Taylorville Junior High?

13 A Correct.

14 Q All right. And so you spent your years of
15 6th, 7th and 8th grade in Taylorville in Junior High?

16 A Just 7th and 8th in Junior High.

17 Q I see. And then you went to Taylorville
18 High School?

19 A Correct.

20 Q What year did you graduate from Taylorville
21 High School?

22 A 2001.

23 Q Did you graduate from Taylorville High
24 School with any particular honors or distinctions or

1 awards?

2 A No. Uh-uh. No.

3 Q How many people in the class?

4 A Um, 165, I think.

5 Q Okay. Do you remember what your class rank
6 was?

7 A I don't recall.

8 Q I -- by asking this, I don't intend to
9 embarrass you or anything like that. Do you know if
10 you were in the top half of the class?

11 A Yes, I was.

12 Q All right. Did you have any problems in
13 high school with being disciplined; that is, put on
14 oh, you know, any kind of probation or anything other
15 than, you know, perhaps a detention?

16 I'm not getting into detentions at all, but
17 were you disciplined at all in high school?

18 A I've had my fair share of detentions and
19 Saturday detentions but nothing major where I was
20 kicked out of school for an extended period of time.

21 I don't see the relevance of any of these
22 questions though.

23 Q Yeah. Well, let me help you.

24 A Okay.

1 Q That's a legitimate question. This is
2 what's called a discovery deposition.

3 And in a discovery deposition you're
4 entitled to ask questions which may not necessarily
5 be admissible in court --

6 A Uh-huh.

7 Q -- or at the Commerce Commission. But
8 you're allowed to ask questions which explore the
9 background of witnesses who will be called at trial
10 and to quote discover information which might be
11 helpful for you in your case.

12 So that, you know, while I don't intend to
13 be invasive of your privacy, you know, you've brought
14 what we consider to be a serious claim against CIPS.
15 And we, as you know, are doing our best to defend
16 ourselves. So we need to find out, you know, your
17 background and some different things.

18 I don't intend to belabor this. But if, for
19 instance just by way of example, if you were a
20 student in high school who was always in trouble and
21 got detentions and, you know, may have been a
22 behavioral problem for the school and what have you,
23 that may go to, you know, your character in some
24 respect. And we're trying to find that out.

1 A Okay.

2 Q So, you know, from what you tell me
3 apparently that was not an issue for you in high
4 school?

5 A I had my fair share of detentions but
6 nothing major.

7 Q Okay. And I guess the fair share of
8 detentions would have been just, you know, maybe --

9 A Skip class every now and then; be late for
10 class.

11 Q Okay.

12 A Forget my book, you know.

13 Q Well, if it's any consolation to you, I got
14 some detentions myself in high school.

15 All right. And when you then graduated from
16 Taylorville High School you went right away to
17 SIU-Carbondale?

18 A Correct. I took summer classes at Lincoln
19 Land Community College.

20 Q That would have been the summer of 2002?

21 A Correct.

22 Q What courses did you take in Lincoln Land?

23 A I took an Advance Placement Chemistry class.
24 I took that in high school but I was enrolled in

1 Lincoln Land at the time.

2 I took an English 101 and then an Algebra
3 refresher, College Algebra 113.

4 Q All right. Did you get credit at SIU for
5 those Lincoln Land courses?

6 A Correct.

7 Q All right. So then you actually began
8 probably late August of 2001 at SIU-Carbondale?

9 A Correct.

10 Q All right. How far roughly is Taylorville
11 from Carbondale?

12 A About 160 miles.

13 Q All right. And how do you get back and
14 forth between your home and school?

15 A I drive.

16 Q All right. And do you have your own car?

17 A I have my truck, yeah.

18 Q Okay. Interestingly, the license plate on
19 that truck is what?

20 A D-u-c-t-a-p-e.

21 Q Duct tape?

22 A Yes. That's correct.

23 Q And I think you explained that to me one
24 time what that meant. What was that?

1 A Just -- I jerryrig everything with duct
2 tape. That's my nickname, tape. That's what I
3 have --

4 Q Is that right?

5 A That's what I have, I'm called at work.

6 Q Okay. What courses did you take your first
7 semester?

8 A Um, I took Calculus 1. Um, I took EE 101
9 Introduction to Electrical Engineering course,
10 Macroeconomics, Race and Ethnic Relations and PE 101.

11 Q Okay. What courses are you taking the
12 second semester?

13 A Calculus 1 again. Um, Music Understanding,
14 Physics, and C++.

15 Q C++?

16 A Yeah, Computer Science class, programming.

17 Q Electrical engineering 101, how did you do
18 in that course?

19 A It was a pass-fail class.

20 Q And you passed?

21 A Yes. I passed.

22 Q All right. What degree do you hope to get
23 from SIU-Carbondale?

24 A Bachelor of Science in Electrical

1 Engineering.

2 Q Okay. Is it your intention anyway, Jamal,
3 to finish within four years?

4 A Yes, it is.

5 Q Okay. Obviously you've become interested in
6 the field of electricity.

7 What do you think caused that or when did
8 you that start?

9 A Oh, I've been sticking my finger in light
10 sockets since I was like three. And I've always been
11 curious and always had interest in it.

12 Q I see. Okay.

13 Let me ask you when you're going to high
14 school did you play in any sports?

15 A No. Uh-uh. That's not correct.

16 Q Did you work during high school?

17 A Yes, I did.

18 Q Okay. Let me just kind of break it down.

19 How about freshman year. During your school
20 year did you have a part-time job?

21 A Yes. I've worked at Holiday Lights Outlet
22 for four years now.

23 Q All right. Other than Holiday Lights
24 Outlet, have you had any other part-time or full-time

1 job while you were in high school?

2 A I worked at Sonic on Springfield Road.

3 Q Okay. And that's a burger and shake place?

4 A Correct.

5 Q All right. All right.

6 Any place else other than those two places?

7 A Freshman year I worked at Wendy's for six
8 months.

9 Q All right. Fast food?

10 A Another fast food place, yeah.

11 Q All right. Any place else other than those
12 three places?

13 A Um, no. Uh-uh. That's not -- I don't
14 recall anywhere else.

15 Q Okay.

16 A I mowed lawns for a couple people in my
17 neighborhood, elderly folks. But I guess it wasn't a
18 job.

19 Q Sure. Sure.

20 Let's talk about Holiday Lights Outlet
21 because I think that has some connection to the
22 situation we're dealing with here today. First of
23 all, who's your boss or your supervisor there?

24 A Walter Stokes.

1 Q S-t-o-k-e-s?

2 A Correct.

3 Q Has he been your boss or supervisor at all

4 times?

5 A Yes, he has.

6 Q When did you first start to work for Holiday

7 Lights Outlet?

8 A Summer of my freshman year.

9 Q Now, that is located in Taylorville,

10 correct?

11 A Correct.

12 Q Jamal, we will keep an eye on the clock for

13 you so you don't have to be nervous about that. So

14 you want to be told at 10:15?

15 A (The witness nodded his head.)

16 Q Okay.

17 A Yes.

18 Q You're learning. All right.

19 Is that Holiday Lights Outlet just sort of

20 right across the street from the high school?

21 A Yes, it is.

22 Q All right. Which is very near to your

23 house, correct?

24 A Yes, it is.

1 Q As a matter of fact, your house is right
2 across the street from the high school?

3 A That's correct.

4 Q All right. Describe just in general the
5 business of Holiday Lights Outlet.

6 A Um, well, during the summer months we sell
7 fireworks. Um, I work at the store during that time.
8 And then the rest of the year I put
9 Christmas light frames together, different designs,
10 animated designs. I put the lights on them and then
11 wiring them for animation. Basic things like that.

12 Q Prior to going to work for Holiday Lights
13 Outlet in the summer of your freshman year, did you
14 ever begin decorating your home for Christmas?

15 A Yeah. I've decorated my home for probably
16 nine years.

17 Q Is that right?

18 A Yeah.

19 Q Which would have -- starting in what, about
20 19 --

21 A 93-94.

22 Q Okay.

23 A I was little when I started.

24 Q All right. It would be fair to say that the

1 project has grown every year?

2 A Yes, it has.

3 Q All right. All right.

4 To what extent has Holiday Lights Outlet
5 assisted you in decorating your home? And by that I
6 wonder if they've provided you at little or no
7 expense lights or other things that you put on your
8 house?

9 A Yes. The lights -- the use of the lights is
10 provided by Holiday Lights Outlet.

11 Q All right. Is that in a way kind of
12 advertising for Holiday Lights Outlet?

13 A I don't believe so.

14 Q Okay.

15 A Not really.

16 Q All right. So that I think in Christmas
17 2001 you had something like 30,000 lights on your
18 house?

19 A That's correct.

20 Q And all of those lights were provided at no
21 cost by Holiday Lights Outlet?

22 A That's correct.

23 Q All right. When is the last time you worked
24 for Holiday Lights Outlet?

1 A Yesterday evening. I went in there and
2 taped some frames.

3 Q Okay. So that even with you going to school
4 when you can afford some hours, you devote those to
5 Holiday Lights Outlet?

6 A Correct.

7 Q And you're paid by the hour?

8 A No. Uh-uh.

9 I'm paid by the piece. I have a key to the
10 building and I go in there in my spare time and
11 assemble frames.

12 Q Okay.

13 A Sometimes I take them home with me and work
14 on them while I'm watching TV or watch TV there and
15 put them together.

16 Q Okay. Do you have any jobs at school?

17 A No.

18 Q Okay. So when you can make it home during
19 the week or on weekends you're able to get into
20 Holiday Lights Outlet and do some work for them and
21 get compensated for it?

22 A Correct.

23 Q Okay. Did Mr. Stokes give you any training
24 regarding electricity?

1 A No, he did not.

2 Q Okay. Did you have any courses in high
3 school that were devoted to electricity?

4 A No, I did not.

5 Q How is it that you learned what you know
6 about electricity?

7 A Reading.

8 Q Was this checking books out of the library,
9 Internet or, you know, where did you get the
10 materials to review for electricity?

11 A I think I've done every one of my science
12 fair projects on electricity. Um, taking things
13 apart, things like that.

14 Q Okay. What -- if I could ask you and if you
15 know -- what do you hope to do with your degree in
16 electrical engineering?

17 A I'm not for sure.

18 Q Okay. Okay.

19 Now, aside from CIPS or Ameren-CIPS or
20 Ameren, for that matter, have you ever sued anybody
21 else?

22 A No.

23 Q Has anybody else ever sued you?

24 A No.

1 Q Okay.

2 MR. DERBER: We're getting close to quarter
3 after.

4 MR. KAUFMANN: This would be a good time.

5 (WHEREUPON, a brief
6 recess was had.)

7 MR. KAUFMANN: All right. We're back on the
8 record. We took a short break so Jamal could run
9 down and feed his parking meter. And we need to
10 break again about 10:45.

11 Okay. We'll let you know.

12 Q Okay. We were just touching on the subject
13 of lawsuits or Complaints. And obviously you and I
14 have had occasion to meet before --

15 A Uh-huh.

16 Q -- on the subject of lawsuits or complaints.
17 And those Complaints have been against CIPS,
18 correct?

19 A Correct.

20 Q All right. And you've not filed a lawsuit
21 or Complaint or Commerce Commission proceeding
22 against any company other than CIPS; is that right?

23 A That's correct.

24 Q Okay. Okay.

1 I just want to -- I don't want to get in and
2 revisit all of these issues but I just want to -- in
3 general, I think the first lawsuit was actually a
4 lawsuit brought by your mother against CIPS, correct?

5 A Yes. Correct.

6 Q And that was a Small Claims Complaint in
7 Taylorville, Christian County?

8 A That's correct.

9 Q And at that time we actually had a trial
10 before Judge Spears in Christian County?

11 A That is correct.

12 Q All right. And Judge Spears entered his
13 ruling from the bench -- it was a bench trial -- and
14 he ruled adverse to your mother?

15 A That's correct.

16 Q All right. That Order or decision by Judge
17 Spears was then appealed by your mother to the Fifth
18 District Appellate Court?

19 A That is correct.

20 Q All right. At the time that that lawsuit
21 was filed, I believe your mother was the name on the
22 electricity account with CIPS?

23 A That's correct.

24 Q All right. At a later time then actually

1 the name of the account was switched to you from your
2 mother?

3 A That was the following summer. Yes. That's
4 correct.

5 Q All right. Um, sometime -- well, by the
6 way, that Small Claims trial took place just before
7 Christmas in the year 2000, correct?

8 A That is correct.

9 Q And there was, following the decision of
10 Judge Spears, actually an article on the front page
11 of the Springfield newspaper concerning that decision
12 and your light situation, correct?

13 A I believe so.

14 (Whereupon, said document was
15 duly marked for purposes of
16 identification as Exhibit 1,
17 as of this date.)

18 Q All right. These are exhibits I'm gonna
19 show you, Jamal. And we have a copy for you, okay.

20 I just want to show you Exhibit No. 1 and
21 have you take a look at that. I think that it is a
22 letter from you to Steven Sullivan, who's general
23 counsel for Ameren, which was written in December of
24 2000; is that correct?

1 A That's correct.

2 Q All right. Now, sometime -- and if memory
3 serves me correctly, it may have been January of 2001
4 -- you then filed a lawsuit in your name against CIPS
5 in Small Claims court in Taylorville, correct?

6 A Correct.

7 Q And then CIPS filed a Motion to Dismiss and
8 we actually had a hearing in which you were present
9 and I was present in Taylorville and a judge other
10 than Judge Spears -- and for the life of me --

11 A Judge Weber.

12 Q Judge Weber dismissed that lawsuit, correct?

13 A Correct.

14 Q All right. At the same time the appeal of
15 the first lawsuit by your mother against CIPS was
16 proceeding in the Appellate Court, correct?

17 A I believe so.

18 Q And, as a matter of fact, I think you -- you
19 were not represented by an attorney in that case,
20 correct?

21 A Correct.

22 Q Nor was your mother?

23 A Correct.

24 Q And you filed a Brief to the Appellate

1 Court. We filed a Brief and then you filed a later
2 Brief. Is that how you remember it?

3 A She did.

4 Q Okay.

5 A I don't know exactly.

6 Q Did you write the Brief on her behalf?

7 A I don't see the relevance of that. I might
8 have helped her with it.

9 Q But it was her work?

10 A Yeah.

11 Q All right. Um, okay.

12 I think that probably then brings us to --
13 oh, let me back up. I forgot that -- you, I believe
14 it was, you filed an Illinois Commerce Commission
15 Complaint against CIPS, I think, also in the
16 January-February time frame of 2001; is that correct?

17 A I don't recall exactly. What was the
18 Complaint about?

19 Q Okay. Well, I think their record will
20 reflect that there was a prior, prior to this
21 Complaint proceeding that we're talking about here
22 today, there was a prior Complaint with the Illinois
23 Commerce Commission relating to issues very similar
24 to what was ruled upon by Judge Spears in

1 Taylorville.

2 Do you remember that?

3 A Um, I understand what you're saying. It was
4 -- the Commerce Commission Complaint was about
5 whether service could be classified as temporary.
6 And the case before Judge Spears was, you know,
7 whether or not we had a legally binding contract for
8 the --

9 Q Okay.

10 A -- service upgrade. It was two separate
11 things.

12 Q For the record, the Illinois Commerce
13 Commission Complaint that I'm talking about had a
14 case number 01-0048. And, you know, the record will
15 speak for itself as to what it was that Complaint was
16 complaining about.

17 But, nevertheless, there was a Commerce
18 Commission Complaint before this one, correct?

19 A Correct.

20 Q In the summer of 2001 there was, there were
21 a couple of disputes pending between CIPS and you and
22 your mother. One of them had to do with the appeal
23 of the Fifth District and the other had to do with
24 the Illinois Commerce Commission?

1 A I hadn't filed the Complaint. The bill was
2 still in my mother's name. She filed the Complaint
3 with the Commerce Commission and the Circuit Court,
4 and she filed the appeal as well. So nothing was in
5 my name.

6 Q It may not have been your name but would it
7 be fair to say you had some interest in litigation?

8 A I did.

9 Q Okay. All right.

10 (Whereupon, said document was
11 duly marked for purposes of
12 identification as Exhibit 2,
13 as of this date.)

14 That's all I'm trying to get at.

15 Then let me show you this by way of
16 background, Exhibit 2, which is a copy of a Mutual
17 Settlement Agreement and Release signed by you and
18 your mother and representatives of CIPS; is that
19 correct?

20 A Correct.

21 Q All right. So at least as of the time that
22 this Mutual Settlement Agreement and Release was
23 entered into on August 8th of 2001, the disputes
24 between you and or your mother and CIPS had been

1 resolved, correct?

2 A I believe there was another Complaint after
3 the bill was changed to my name for the three phase
4 service during that summer. That was in the
5 Settlement Agreement.

6 Q Okay. Was that another Commerce Commission
7 Complaint, or was it a dispute as between you and the
8 company?

9 A I believe I filed a Complaint with the
10 Commerce Commission over that.

11 Q Okay. And that, again, had to do with you
12 changing the name of the account to you?

13 A Well, I changed the account to my name so
14 that I could deal --

15 Q Okay.

16 A -- with CIPS. They wouldn't speak with me.

17 Q As I recall, there was problems in the
18 earlier summer of 2001 which actually resulted in
19 some disconnection of service to your house?

20 A Yes, there was.

21 Q All right. And do you think you went to the
22 Illinois Commerce Commission on that?

23 A Oh, I did. Yes.

24 Q But anyway that dispute was pending at the

1 time the Mutual Settlement Agreement and Release was
2 signed on August 8th of 2001 and this was meant to --

3 A Take care of that.

4 Q -- resolve any such dispute; is that your
5 understanding?

6 A That's correct.

7 Q Okay. So then as of August 8 of 2001, as
8 far as you were concerned, all disputes between CIPS
9 and you and/or your mother had been resolved,
10 correct?

11 A Correct.

12 Q All right. So let me then focus on events
13 since August 8th of 2001 and whatever happened or did
14 not happen after August 8th of 2001 that led at least
15 in part to the current Illinois Commerce Commission
16 Complaint that you have against CIPS, which is number
17 02-0002; am I correct?

18 A Could you repeat the question.

19 Q Yeah. The disputes which are currently
20 pending before the Illinois Commerce Commission are
21 those which are reflected in your Complaint which
22 bears a case number of 02-0002, correct?

23 A Correct.

24 Q Okay. And I'm going to mark that Complaint

1 as Exhibit 3.

2 (Whereupon, said documents were
3 duly marked for purposes of
4 identification as Exhibits 3 and
5 4, as of this date.)

6 Is that a true and accurate copy of your
7 current Complaint against CIPS?

8 A I believe so.

9 Q Your signature under oath appears on page
10 two of Exhibit 3?

11 A That is correct.

12 Q Okay. Now, we'll explore your answer to
13 this question in more detail after you give it, but
14 just in general tell me what CIPS did do or did not
15 do which has now then led to your Complaint in the
16 Illinois Commerce Commission against CIPS.

17 A They haven't provided electric service that
18 required minimum voltage as required by the
19 Administrative Code of the Illinois Commerce
20 Commission.

21 Q Okay. In Exhibit 3, which you have there
22 before you, you make reference to two different
23 Commerce Commission rules which you believe CIPS has
24 violated, correct?

1 A Correct.

2 Q The first one you mention is 83 Illinois
3 Administrative Code part 410.300(b), correct?

4 A Correct.

5 Q And, for the record, Exhibit 4 is a copy of
6 a page which contains a reference to the section I
7 just mentioned, correct?

8 A Correct.

9 Q The other one that you mentioned was 83
10 Illinois Administrative Code part 411.100(a),
11 correct?

12 A Correct.

13 (Whereupon, said document was
14 duly marked for purposes of
15 identification as Exhibit 5,
16 as of this date.)

17 Q Is Exhibit 5 a copy of a page from the Code
18 which contains the reference to the section that
19 you're complaining about?

20 A Correct.

21 Q Okay. So, Jamal, just in general, your
22 current Complaint against CIPS is that it is not
23 providing a minimum voltage required to be delivered
24 to you as a customer?

1 A That's correct.

2 Q Tell me, if you would, what evidence you
3 have to support that Complaint.

4 A Um, I measured the voltage numerous times
5 while my Christmas lights were turned on. And it did
6 at times drop below 113 volts.

7 Q What other evidence do you have?

8 A I don't have any evidence. I've got the
9 results from the recorder that was placed on my
10 service for a while. So --

11 Q Okay. But other than whatever data that we
12 might have -- and, by the way, you have made a
13 request for that?

14 A Correct.

15 Q And we're gonna comply with that request.

16 But other than what evidence we might have
17 in our possession, the evidence you have in your
18 custody and control is that you measured voltage with
19 your Christmas lights on and at times the voltage
20 dropped below 113 volts, correct?

21 A That's correct.

22 Q All right. What did you use to measure the
23 voltage?

24 A A voltmeter.

1 Q All right. Who owns that voltmeter?
2 A I do.
3 Q Where is the voltmeter now?
4 A It's in my dorm room in Carbondale.
5 Q Where did you get the voltmeter?
6 A I purchased it at Springfield Electric.
7 Q When did you purchase it?
8 A I think it was summer of 2000, I believe.
9 Q Why did you purchase it?
10 A To measure the voltage.
11 Q How much did it cost; do you remember?
12 A Um, \$125. It's an amp meter actually. It
13 measures current as well.
14 Q It's a voltmeter and --
15 A Amp, a-m-p m-e-t-e-r.
16 Q Voltmeter and amp meter. Who manufactures
17 it?
18 A Sperry.
19 Q How do you spell Sperry?
20 A S-p-e-r-r-y, I believe.
21 Q Okay. Is it analog or digital?
22 A I couldn't tell you.
23 Q Okay. Let me ask that very good question.
24 All right. You're not sure if it's analog

1 or digital?

2 A It is digital.

3 Q All right. Can you give us any other
4 specifications for that so that we could better
5 identify it?

6 I mean, is there a brand name or is there --

7 A Digisnap, I think, is what it's called.
8 Sperry Digisnap. It's rated for 400 amps. Measures
9 direct current as well as volts.

10 Q Do you know the accuracy of it?

11 A It's one one-hundredth volt, I believe.

12 Q Now, is that something that you would put on
13 the current and visually see what the, what the
14 reading was and have to remember it? Or was there
15 some, some paper or other recording made of it?

16 A I just remembered what the voltage and
17 current was when I took the readings.

18 Q Okay. All right.

19 And I just needed to ask you that because if
20 there's some other paper evidence that you would have
21 then I would need to ask to look at that.

22 But really what you're talking about is your
23 recollection of what the readings were?

24 A Correct.

1 Q How many times did you take a reading when
2 the volts were below 113?

3 A There were probably over a dozen instances
4 when I would take the voltage and check the current
5 once an hour sometimes.

6 Q Okay. So the Christmas lights are on?

7 A Right.

8 Q And so over a dozen times you took the
9 reading and the voltage was below 113, correct?

10 A I'm not saying a dozen different evenings
11 when I had them on. I would say I would take it
12 multiple times during an evening and the voltage
13 would sometimes be 113. It would vary four or five
14 volts.

15 But there were probably at least a dozen
16 instances where it was below 113.

17 Q All right. On how many days did you check
18 the voltage?

19 In other words, I'm wondering if you checked
20 it say between November 1 and December 31? Is that
21 the range?

22 A Um, well, I first had most of my Christmas
23 lights up the middle of November. And I checked it
24 then and realized there was probably gonna be a

1 situation with them and the voltage.

2 And then I took the voltage while they were
3 on for the month that they were up from Thanksgiving
4 to New Year's.

5 Q So the first time that you recall
6 recognizing a problem was mid-November when most of
7 your lights were up?

8 A Correct.

9 Q But in mid-November you had not started
10 turning on all the lights at the same time at night,
11 correct?

12 A Correct.

13 Q Were you just getting ready for your
14 display?

15 A Correct.

16 Q But the display actually was lit up, so to
17 speak, between Thanksgiving and New Year's of the
18 year 2001?

19 A Correct.

20 Q All right. Let's go back to that event in
21 mid-November.

22 Do you remember what the reading was then?

23 A I don't recall.

24 Q What indicated to you in mid-November that

1 you thought there was gonna be a problem or was a
2 problem?

3 A Um, I hadn't had all of my lights up yet.
4 And when I had them on the ones I did have up and
5 then appliances running in the house at the same
6 time, the voltage was borderline where it should have
7 been. So once I got the rest of the lights up, it
8 would be a problem potentially.

9 Q Do you remember what the reading was?

10 A I don't recall.

11 Q You reference appliances in the house. What
12 appliances were in the house in mid-November?

13 A Um, various appliances. You want me to name
14 all of the appliances that we own or --

15 Q Well, it might become important later. And
16 I don't mean to be cute about this, but I assume
17 we're talking about refrigerator?

18 A Right.

19 Q We're talking about a microwave?

20 A Correct.

21 Q We're talking about various small appliances
22 plugged into the outlets such as radios and things of
23 that nature?

24 A Correct.

1 Q Stereos?

2 A Correct.

3 Q Is it an electrical furnace in your house or
4 gas?

5 A The pump that pumps the water is electric.

6 Q Okay.

7 A Electric dryer.

8 Q Electric dryer.

9 A Washer.

10 Q Washer.

11 A Space heaters.

12 Q Okay.

13 A Um, that's all that I can think of that
14 would require --

15 Q Okay.

16 A -- large amounts of current.

17 Q Okay. If something else occurs to you we
18 can talk about it later.

19 A Okay.

20 Q All right.

21 MR. KAUFMANN: So it's 10:45 now. Time for you
22 to go feed your meter. And we're making good
23 progress.

24 When we come back we can talk about the

1 Thanksgiving and New Year period.

2 (WHEREUPON, a brief
3 recess was had.)

4 Q Before we leave the issue of mid-November,
5 you mentioned a space heater?

6 A Right.

7 Q What space heater are we talking about?

8 A I've got some space heaters in my garage.

9 Q How many?

10 A Two.

11 Q Are they still there?

12 A Yes, they are.

13 Q Do you own 'em?

14 A Yes, I do. Well, my mom does.

15 Q Your mom does?

16 A Yes.

17 Q Who manufactured them? What is the brand
18 name on them?

19 A I don't know.

20 Q Um, certainly you wouldn't have any data
21 regarding those such as the name plate, serial
22 numbers, things of that -- you wouldn't have that
23 information?

24 A 1500 watt space heaters.

1 Q Are they both 1500 watt?
2 A Yeah, they are.
3 Q Are they the identical?
4 A Yes, they are.
5 Q All right. And who bought those?
6 A My -- we've had those for years.
7 Q Would have been purchased by your mom?
8 A Probably my father.
9 Q Okay. And those were two space heaters
10 located in the garage?
11 A Correct.
12 Q And the garage is attached to your house?
13 A Correct.
14 Q What other appliances would have been
15 located in the garage?
16 A At that time there wasn't anything. But the
17 space heaters weren't heating the garage like they
18 were supposed to, so I borrowed a grain dryer heating
19 element to heat the garage.
20 Q Okay. Who did you borrow that from?
21 A I can't say.
22 Q Do you currently have the grain dryer?
23 A No, I do not.
24 Q Well, it could be important to us to find

1 that grain dryer and to actually even perform some
2 tests on it.

3 A Um, it wasn't a complete dryer. It was --
4 what I had done was after that initial voltage
5 problem where there was 400 amp spikes, I
6 disconnected it and I used the individual coils as
7 space heaters. Made my own space heaters out of the
8 parts from the grain dryer.

9 Q Okay. But where is the grain dryer now?

10 A I don't know.

11 Q Okay. I need to ask you again. Who owns
12 it?

13 A I don't know who owned it.

14 Q Well, I think earlier you said you weren't
15 gonna tell me.

16 A I know who I borrowed it from. I don't know
17 if he owns that.

18 I mean, he asked to remain anonymous, fears
19 persecution from Ameren-CIPS.

20 Q Well, --

21 A I can tell you I have -- all the individual
22 coils are rated for 208 volts. They were, I think,
23 1,000 watts.

24 Q What other details can you give us on that?

1 A That's it. I just had some of those coils
2 to heat the garage.

3 Q So that between Thanksgiving and New Year's
4 would you have been operating the two space heaters
5 and the parts of the grain dryer within your garage?

6 A Yes, at various times.

7 Q And just so the record is clear, you're
8 declining to tell us the identity of the person from
9 whom you borrowed the grain dryer?

10 A Yes. I doubt he would even have the parts
11 from it anymore.

12 Q Did you borrow it from the Holiday Lights
13 Outlet?

14 A No, I did not.

15 Q Okay. Well, I only tell you this to help
16 you out.

17 We have another meeting with the
18 Administrative Law Judge --

19 A Right.

20 Q -- Hearing Officer here in a week. And what
21 I'm gonna do is ask the hearing officer to require
22 you to tell us who you borrowed it from because --
23 and what the hearing officer will do, I don't know.
24 But I just want to tell you in advance what we're

1 gonna do.

2 We're gonna ask for the identity of that
3 person because probably what we're gonna do is then
4 ask for permission to, you know, get the, get our
5 hands on the grain dryer, do some testing of it and
6 some inspection of it and go from there.

7 And I can certainly assure you that there is
8 -- you know, CIPS is not going to act adversely
9 toward you or toward the owner of that grain dryer.
10 So I just want to tell you what's going on.

11 A It's in pieces. The heating coils are what
12 draw the current.

13 I can get a hold of a heating coil for you.
14 I mean, they're all exactly the same, the same
15 voltage rating and the same power consumption. If
16 you want to run tests on one you can.

17 Q You know what might be kind of a nice
18 compromise, if you will, without telling us of the
19 identity of who you got it from --

20 A Uh-huh.

21 Q -- if you could basically get it, get it in
22 your possession and then at our mutual convenience we
23 could come and take a look at it, photograph it, test
24 it, things of that nature.

1 I'd like to suggest that as a compromise.

2 A I don't think you understand what it is.
3 It's not a dryer with the blower and the motor and
4 everything like you're picturing.

5 It's heating coils --

6 Q Uh-huh.

7 A -- from a grain dryer that I used. I don't
8 even know where the housing for it is anymore.

9 I can get you the heating coil from it if
10 you want.

11 Q I guess what we're looking for is whatever
12 you had in the garage --

13 A Okay.

14 Q -- is what we need to look for. And we'll
15 make some arrangements after the deposition to do
16 that.

17 A Okay.

18 Q All right. Okay.

19 So, all right. Back to where we were in
20 mid-November with those appliances that you mentioned
21 running.

22 You noticed that there was gonna be a
23 problem. And then between Thanksgiving and New
24 Year's using your voltmeter and amp meter you did,

1 yourself, observe other occasions in which the
2 voltage dropped below 113, correct?

3 A Correct.

4 Q How many times between Thanksgiving and New
5 Year's?

6 A Around a dozen times at least.

7 Q All right. And did you notice those volts
8 dropping below 113 when all of your lights and all of
9 your appliances, including the two space heaters and
10 the grain dryer, were operating?

11 A Correct.

12 Q When the volts dropped below 113 -- and I'm
13 gonna kind of show my ignorance here -- what
14 happened?

15 I mean, did the lights dim? Did they
16 flicker? Did they go out? What happened?

17 A They dimmed.

18 Q Okay. And we're talking about the Christmas
19 lights?

20 A Everything in the house. All the lights.

21 Q All the lights and all the appliances and
22 the Christmas lights dimmed?

23 A Correct.

24 Q Did they ever go out totally, or they just

1 dimmed?

2 A They just dimmed.

3 Q Okay. All right.

4 A We had problems with the computer though.
5 It wouldn't run when the voltage was that low. We
6 have a battery back up unit plugged into it. And it
7 would go into reserve power mode and then it would
8 shut off after a few minutes of running like that.

9 Q Okay. All right.

10 How -- for what length of time did the
11 dimming take place?

12 A At times it was, you know, five to ten
13 minutes. Sometimes it was, you know, half-hour to an
14 hour. Just varied, you know, what appliances were
15 running at the time.

16 I tried to alternate between heating of the
17 garage and, you know, while I'm washing and drying
18 laundry so it wasn't that big of a problem. Plus, I
19 had to worry about blowing fuses and circuit
20 breakers, so --

21 Q Okay. So, if I understand it, the range of
22 time that dimming was an issue was as little as five
23 minutes and up to an hour, correct?

24 A Correct.

1 Q And the problem, the dimming problem, could
2 be corrected by sort of staggering the use of
3 appliances?

4 A That's what I did.

5 Q All right. Did you ever have problems with
6 voltage when you were not operating the grain dryer
7 or any part of it?

8 A Yes, I did.

9 Q Okay. How many times?

10 A Um, without the grain dryer running, um, at
11 times the voltage would be around 114, 113 volts.

12 Um, I believe I measured three instances
13 where it was below 113 volts. It was with the lights
14 running and with the dryer running various other
15 appliances in the house.

16 Q Okay. I guess I'm confused by your last
17 answer. Were there only three instances --

18 A That I can recall.

19 Q -- that the voltage was below 113 without
20 the grain dryers operating?

21 Okay. But most of the times when the -- and
22 you gave -- you said about a dozen. Most of those
23 times the grain dryer was operating when the voltage
24 dropped below 113, correct?

1 A Correct.

2 Q All right. Did you make any notes or
3 anything to refresh your memory as to when you made
4 the observations of the voltage drop below 113?

5 A I don't recall.

6 Q Okay. I guess what I'm searching for is
7 maybe a tablet or some notebook that you kept in
8 which you recorded contemporaneously -- meaning at
9 the same time it happened -- every, every instance in
10 which you did it, in which you saw that which would,
11 might tell you dates and times and duration, that
12 sort of thing.

13 Didn't keep any of those notes?

14 A No, I don't.

15 Q So you're going from your recollection?

16 A Correct.

17 Q All right.

18 A Like I said, I called and complained and the
19 recorder was put on my service. And the results from
20 that would show at times voltage did drop below 113
21 once you factor in the resistance and the piece of
22 TriFlex.

23 Q Okay. We're gonna get to that in a minute.

24 Now, before I move on, there was -- have you

1 ever had any discussions regarding electricity at
2 your house with the police present?

3 A That deal during the summer with the
4 alterations to the service that allegedly said were
5 unsafe when you disconnected me for a period of three
6 days, I believe.

7 Q Okay.

8 A Three different instances.

9 Q That was prior to August 8th of 2001?

10 A Correct.

11 Q Was that the occasion when CIPS happened to
12 notice that you were on an aluminum ladder which was
13 leaning against one of the poles with dishwashing
14 gloves on?

15 A That pole was in my yard and they were aware
16 that the ladder was up there the previous year when I
17 had the lights up the previous Christmas. The ladder
18 had been up there every day practically. That's
19 where I kept it, propped up against that post.

20 Q It's an aluminum ladder?

21 A Correct.

22 Q Do you remember CIPS finding you actually on
23 that ladder with some dishwashing gloves on --

24 A No.

1 Q -- working on service?

2 A No.

3 Q All right. When you work around electricity

4 do you sometimes wear gloves?

5 A Yeah.

6 Q What kind of gloves?

7 A They're real thick leather gloves.

8 Q Okay. Do you ever wear any rubber gloves?

9 A I have before but underneath the leather

10 gloves.

11 Q Okay. And are those dishwashing-type

12 gloves?

13 A I believe I did at one time. When it was

14 wet, I put rubber gloves -- I think they were

15 dishwashing gloves -- on underneath the leather

16 gloves.

17 Q It was wet. What do you mean by that, the

18 ground was wet?

19 A I was taking the voltage, and the service

20 and the meter and the disconnect were all wet and the

21 ground was wet, too.

22 Q And you were on an aluminum ladder when you

23 did that?

24 A No. I was on the ground.

1 Q Oh. Is that kind of unsafe?

2 A I don't believe so. If you know what you're
3 doing, I guess.

4 Q Have you ever been shocked by working around
5 the electricity at your house?

6 A Yes, I have.

7 Q There was a time, I believe this fall, when
8 you got a shock?

9 A Correct.

10 Q Tell us about that.

11 A I was running an extension cord over
12 extension wires. A piece of Romex wire from my post
13 to a tree out front that I used to feed the Christmas
14 lights that were on the trees in the front of the
15 house -- and I was a safe distance -- the piece of
16 TriFlex and the neutral on that TriFlex hangs down
17 lower than the phase conductors. And I brushed my
18 hair on it or something and it shocked me.

19 And that's when I believe I notified Randy
20 France of potentially a problem. I was under the
21 impression that it wasn't supposed to shock you. But
22 I was four feet below -- the ladder was four feet
23 below the point of attachment of where the TriFlex
24 was. I attached the piece of wire -- I think it's

1 four feet that I am required to be from where the
2 service drop attached.

3 Q Between August 8th of 2001 and the end of
4 the year 2001, is that the only time that you
5 received a shock?

6 A Correct.

7 Q Okay. Now, between mid-November when you
8 say you first noticed a voltage problem and
9 Thanksgiving when you first fired up your lights, if
10 you will, what, if any, discussions did you have with
11 anybody from CIPS regarding a voltage problem at your
12 house?

13 A I called Randy France and asked him what he
14 thought about it. And he said that he would have
15 someone put a recorder up there and they would see
16 what that read and then it would go from there.

17 Q Okay. And that was sometime between
18 mid-November and Thanksgiving?

19 A Correct. I do believe so.

20 Q All right. And CIPS at some point put a
21 voltage recorder out there?

22 A I believe so, yes.

23 Q Do you remember how long it was out there?

24 A Well, they put it up and took it down so

1 many times I didn't really keep track.

2 Q Okay. So, to your knowledge, it wasn't
3 there all the time?

4 A Correct.

5 Q Okay. And tell me about situation with the
6 padlock.

7 I know you had an, had some discussion about
8 the padlock. What did that have to do with?

9 A It was last summer when they disconnected my
10 service. Randy France told me I would need to put a
11 padlock on there to keep people from opening the door
12 on the disconnect and shocking themselves.

13 Then, later on, when it came to the point
14 they wanted to check to see if had fuses in there or
15 I was bypassing them, I would have to take the
16 padlock off or provide them with a way to get into
17 the disconnect.

18 Q And did you do that?

19 A Every time they would come out there to look
20 in the disconnect I would open it for 'em. I mean,
21 they inspected it when they hooked up the service.

22 I provided a key for a short period of time
23 so that you could make something to be able to lock
24 the disconnect with two padlocks so that both myself